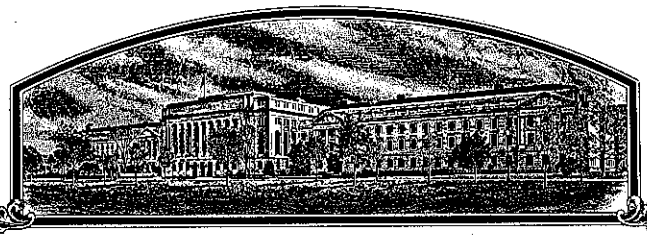

No. 8900118

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Ferry-Morse Seed Company

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

TOMATO

'Butte'

In Testimony Whereof, *I have hereunto set my hand and caused the seal of the* Plant Variety Protection Office *to be affixed at the City of* Washington, D.C. *this* 28th *day of* February *in the year of our Lord one thousand nine hundred and* ninety-two.

Attest:

Kenneth A. Evans
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Edward Madigan
Secretary of Agriculture

APPROVAL EXPIRES 2-28-88

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

FORM APPROVED: OMB NO. 0581-0055

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S)	2. TEMPORARY DESIGNATION	3. VARIETY NAME
FERRY-MORSE SEED COMPANY	FM 50189	BUTTE

4. ADDRESS *(Street and No. or R.F.D. No., City, State, and Zip Code)*	5. PHONE *(Include area code)*	FOR OFFICIAL USE ONLY
555 CODONI P.O. BOX 4938 MODESTO, CALIFORNIA 95352	209/579-7333	PVPO NUMBER 8900118

6. GENUS AND SPECIES NAME	7. FAMILY NAME *(Botanical)*	FILING DATE / TIME
Lycopersicon esculentum Mill	Solanaceae	DATE: Mar. 20, 1989 TIME: ☐ A.M. ☐ P.M.

8. KIND NAME	9. DATE OF DETERMINATION	FEES RECEIVED
Tomato	OCTOBER 1986	AMOUNT FOR FILING: $ 1800.00 DATE: Mar. 20 1989 AMOUNT FOR CERTIFICATE: $ 200.00 DATE: Feb. 7, 1992

10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION *(Corporation, partnership, association, etc.)*

CORPORATION

11. IF INCORPORATED, GIVE STATE OF INCORPORATION	12. DATE OF INCORPORATION
CALIFORNIA	7 APRIL 1969

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS

DAVID J. THOMPSON
FERRY-MORSE SEED COMPANY
P.O. BOX 4938
MODESTO, CALIFORNIA 95352

PHONE *(Include area code)*: 209/579-7333

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED

a. ☒ Exhibit A, Origin and Breeding History of the Variety *(See Section 52 of the Plant Variety Protection Act.)*
b. ☒ Exhibit B, Novelty Statement.
c. ☒ Exhibit C, Objective Description of Variety *(Request form from Plant Variety Protection Office.)*
d. ☒ Exhibit D, Additional Description of Variety.
e. ☒ Exhibit E, Statement of the Basis of Applicant's Ownership.

15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? *(See Section 83(a) of the Plant Variety Protection Act.)* ☐ Yes *(If "Yes," answer items 16 and 17 below)* ☒ No

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?	17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? N/A
☐ Yes ☒ No	☐ Foundation ☐ Registered ☐ Certified

18. DID THE APPLICANT(S) PREVIOUSLY FILE FOR PROTECTION OF THE VARIETY IN THE U.S.?

☐ Yes *(If "Yes," give date)*
☐ No

19. HAS THE VARIETY BEEN RELEASED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES ?

☐ Yes *(If "Yes," give names of countries and dates)*
☒ No

20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT	DATE
David J. Thompson	8 MARCH 1989
SIGNATURE OF APPLICANT	DATE

FORM LS-470 (3-86) *Edition of 7-84 obsolete.*

1

VARIETY: Butte (formerly FM 50189)
EXHIBIT A: Origin and Breeding History of the Variety

Butte was developed, using the pedigree method of breeding, from a Fery-Morse cross made at San Juan Bautista, CA in February 1977 between a Ferry-Morse inbred 10C-X753 MsD3B and M70-1-2-1-MsA an F-M selection of a U.C. Davis lines. The inbred 10C-X753 MsD3B was developed from a cross of UC134 with Saladette from Texas A&M.

F1 plants were medium sized, determinate with medium size deep round fruit exhibiting uniform green color while immature. The fruit load was impressive. F2 seeds from the six F1 plants were harvested from field row # 52957 in October 1977 at SJB.

Most F2 plants in 1978 had very good crops of firm, medium sized fruit in a heat tolerance trial near Fresno, CA. Segregation occurred for fruit shape, maturity, and fruit set as well as vine & foliage type. F3 seeds were saved from three selected plants in field row # 16801 in September.

F3 generation progenies of the three selected plants were again grown in the heat tolerance trial near Fresno. The #1 selection set poorly, the #2 selection exhibited heavy fruit set with good earliness, and the #3 selection was intermediate in fruit set. F4 seeds were massed from 5 selected plants in the second progeny row # 18291 in September 1979. There was some segregation for fruit shape but the massing of seeds was done for ease of handling and to obtain sufficient seed for more extensive trials.

The F4 generation plants from the massed lot set fruit well in the 1980 heat tolerance trial near Fresno. It was early maturing and with slight variation for fruit shape. F5 seeds of seven selected plants with easily removed fruit were massed in field row # 20052 in September 1980.

The F5 generation exhibited medium-small plant size with deep round to egg shaped fruit of good firmness. The earliness and concentration of fruit set were very good. F6 seeds were saved from three selected plants in field row # 84073 in October 1981 at SJB.

The F6 generation plants looked very good in our heat tolerance trial near Fresno. The progeny of selection #1 had very good fruit set with firm, easy stemming fruit. F7 seeds were massed from three selected plants in field row # 24320 in September 1982.

In 1983 and 1984 at San Juan Bautista the F7 and F8 generations were evaluated for fruit quality and overall performance. The fruit set and quality were excellent each year with low pH, high interior color, thick pericarp walls, good soluble solids, and good fruit firmness. Uniformity was very good so seed were massed from all 35 plants in row # 99658 in October 1983 and row # 50189 in October 1984.

VARIETY: Butte (formerly FM 50189)
EXHIBIT B: Novelty Statement

Butte is most similar to Sureset which is related to the female parent of Butte. It can be distinguished from Sureset on the basis of leaf morphology and days from seeding to 50% flower. Butte has type 2 leaf morphology with moderately bipinnate leaves. Sureset has type 3 leaf morphology with essentially no bipinnate leaves.

The number of days from seeding to 50% of the plants with 1 open flower was determined in Wisconsin near Sun Prairie and in California at San Juan Bautista. At least 50 plants were used for each variety at each location each year. The data are as follows:

Comparison	BUTTE	Sureset	UC82B
Wis/86	54 days	52 days	57 days
Wis/87	53 "	52 "	53 "
SJB/86	59 "	53 "	55 "
SJB/87	55 "	48 "	51 "
Greenhouse			
SJB/87	58 days	54 days	56 days
SJB/88	66 "	60 "	66 "
ave of 6	57.5 days	53.2 days	56.3 days

Sureset was consistently earlier than Butte or UC82B. In California Sureset averaged 6 days earlier than Butte on the basis of 50% plants to flower while UC82B was intermediate. Butte consistently flowers one node later than Sureset which help to explain its later 1 st flower date.

Butte can easily be distinguished from UC82B and VF6203 on the basis of vine spread of the mature plant near harvest. At least 15 plants were measured for each variety at each location.

Comparison	Butte	Sureset	UC82B	VF6203
Wis/88	91 cm	95 cm	116 cm	137 cm
SJB/88	54 cm	62 cm	78 cm	83 cm
average	73 cm	79 cm	97 cm	110 cm

The vine spread of Butte was obviously smaller than UC82B or VF6203 but similar to Sureset. Also in fields where UC82B and VF6203 show considerable puffy (hollow) fruit, Butte is essentially free of puffy fruit.

In 1985 this lot (#50189-Ms/84) was placed in a variety/yield trial at San Juan Bautista along with UC 82B, VF6203, Peelmech, and Colusa. FM 50189 had lower yield than most other varieties in the trial due to its small vine. (Twin rowing in subsequent trials gave very acceptable yields.) It was one of the earliest varieties in the trial and had the best interior fruit color with no puffy fruit. The pH was similar to UC82B and Colusa. The fruit size was intermediate between VF6203 and UC82B.

Seed was harvested from 200 plants in 1985 at San Juan Bautista for increase and cannery trials. A stock seed increase of 4000 plants was harvested in October of 1986 at San Juan Bautista. No obvious off type plants or fruit were observed in either increase and the variety appeared to be very uniform and stable. Subsequent trials of these seed lots were also uniform with no obvious segregation.

FORM APPROVED: OMB NO. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN AND SEED DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Tomato)

OBJECTIVE DESCRIPTION OF VARIETY

TOMATO *(Lycopersicon esculentum* Mill.)

NAME OF APPLICANT(S)	TEMPORARY DESIGNATION	VARIETY NAME
FERRY MORSE SEED COMPANY	FM 50189	BUTTE

ADDRESS *(Street and No., or R.F.D. No., City, State, and Zip Code)*

555 CODONI, P.O. BOX 4938, MODESTO, CA 95352-4938

FOR OFFICIAL USE ONLY

PVPO NUMBER

8900118

Choose responses for the following characters which best fit your variety. Complete this form as fully as possible for best characterization of the variety. When a single quantitative value is requested (e.g., fruit weight), your answer should be the mean of an adequate-sized, unbiased sample of plants. Use leading zeroes when necessary (e.g., [0][9] or [0][8][1], etc.). The applicant variety should be compared with at least one well-known standard check variety of the same type (see list of recommended check varieties below), and grown in the same trials. The characters on this form should be described from plants grown under normal conditions of culture for the variety. Indicate by a check whether trial data are from greenhouse ____ or field X plantings. Trials direct-seeded ____ or transplanted X ; staked ____ or unstaked X . Give locations and dates of seeding and transplanting here:

SAN JUAN BAUTISTA, CA seeded 4/2/86 transplanted 5/13/86
SAN JUAN BAUTISTA, CA seeded 4/1/87 transplanted 5/5/86

COMPARISONS SHOULD BE MADE TO ONE OR MORE CHECK VARIETIES IN THE FOLLOWING LIST, IF AT ALL POSSIBLE. ENTER THE **NUMBER** *OF THE CHECK IN BOXES WHERE IDENTITY OF CHECK IS REQUESTED.*

1 = Ace 55 VF
2 = Campbell 37
3 = Chico III
4 = Flora Dade
5 = Florida MH-1
6 = Heinz 1350
7 = Homestead 24
8 = Marglobe
9 = Murietta
10 = New Yorker
11 = Ohio MR-13
12 = Red Cherry Large
13 = Red Rock
14 = Roma VF
15 = Rutgers
16 = Sunray
17 = Tropic
18 = UC 82
19 = VF 134
20 = US 28
21 = VF 145 B 7879
22 = Other *(Specify)* VF6203

1. SEEDLING:

[2] Anthocyanin in hypocotyl of 2-15 cm. seedling: 1 = Absent 2 = Present

[1] Habit of 3-4 week old seedling: 1 = Normal 2 = Compact

2. MATURE PLANT (at maximum vegetative development):

[ ][ ][ ] Cm. Height

[2] Growth: 1 = Indeterminate 2 = Determinate

[3] Form: 1 = Lax, open 2 = Normal 3 = Compact 4 = Dwarf 5 = Brachytic

[1] Size of canopy (compared to others of similar type): 1 = Small 2 = Medium 3 = Large

[2] Habit: 1 = Sprawling (decumbent) 2 = Semi-erect 3 = Erect ('Dwarf Champion')

3. STEM:

[2] Branching: 1 = Sparse ('Brehm's Solid Red', 'Fireball') 2 = Intermediate ('Westover') 3 = Profuse ('UC 82')

[ ] Branching at cotyledonary or first leafy node: 1 = Present 2 = Absent

[3] No. of nodes below the first inflorescence: 1 = 1-4 2 = 4-7 3 = 7-10 4 = 10 or more

[2] No. of nodes between early (1st - 2nd, 2nd - 3rd) inflorescences.

[ ] No. of nodes between later-developing inflorescences.

[3] Pubescence on younger stems: 1 = Smooth (no long hairs) 2 = Sparsely hairy (scattered long hairs) 3 = Moderately hairy 4 = Densely hairy or wooly

4. LEAF (mature leaf beneath the 3rd inflorescence):

[1] Type: 1 = Tomato 2 = Potato ('Trip-L-Crop')

[2] Morphology *(choose illustration on pg. 5 of this form that is most similar)*

[3] Margins of major leaflets: 1 = Nearly entire 2 = Shallowly toothed or scalloped 3 = Deeply toothed or cut, esp. towards base

[3] Marginal rolling or wiltiness: 1 = Absent 2 = Slight 3 = Moderate 4 = Strong

[2] Onset of leaflet rolling: 1 = Early-season 2 = Mid-season 3 = Late season

4. LEAF (mature leaf beneath the 3rd inflorescence -- continued):

[1] Surface of major leaflets: 1 = Smooth 2 = Rugose (bumpy or veiny)

[2] Pubescence: 1 = Smooth (no long hairs) 2 = Normal 3 = Hirsute 4 = Wooly

5. INFLORESCENCE (make observations on 3rd inflorescence):

[1] Type: 1 = Simple 2 = Forked (2 major axes) 3 = Compound (much branched)

[0 6] Number of flowers in inflorescence, average

[1] Leafy or "running" inflorescences: 1 = Absent 2 = Occasional 3 = Frequent

6. FLOWER:

[1] Calyx: 1 = Normal, lobes awl-shaped 2 = Macrocalyx, lobes large, leaflike 3 = Fleshy

[1] Calyx-lobes: 1 = Shorter than corolla 2 = Approx. equalling corolla 3 = Distinctly longer than corolla

[1] Corolla color: 1 = Yellow 2 = Old gold 3 = White or tan

[1] Style pubescence: 1 = Absent 2 = Sparse 3 = Dense

[1] Anthers: 1 = All fused into tube 2 = Separating into 2 or more groups at anthesis

[1] Fasciation (1st flower of 2nd or 3rd inflorescence): 1 = Absent 2 = Occasionally present 3 = Frequently present

7. FRUIT (3rd fruit of 2nd or 3rd cluster): *For the first 5 characters below, match your variety with the most similar illustration on pg. 5 of this form.*

[4] Typical fruit shape:

[1] Shape of transverse section:

[2] Shape of blossom end:

[1] Shape of stem end:

[1] Shape of pistil scar:

---

[1] Abscission layer: 1 = Present (pedicellate) 2 = Absent (jointless)

[1] Point of detachment of fruit at harvest: 1 = At pedicel joint 2 = At calyx attachment

[1 2] mm length of pedicel (from joint to calyx attachment)

[0 5 5]	mm length of mature fruit (stem axis)	[0 5 8]	mm length, check var. no.	[2 2]
[0 5 0]	mm diameter of fruit at widest point	[0 5 0]	mm diameter, check var. no.	[2 2]
[0 7 4]	g weight of mature fruit	[0 7 9]	g weight, check var. no.	[2 2]

[1] No. of locules: 1 = Two and three 2 = Three and four 3 = Five or more

[1] Fruit surface: 1 = Smooth 2 = Slightly rough 3 = Moderately rough or ribbed

[1] Fruit base color (mature-green stage): 1 = Light green ('Lanai', 'VF145-F5') 2 = Light gray-green ('Westover') 3 = Apple or medium green ('Heinz 1439 VF') 4 = Yellow green 5 = Dark green

[1] Fruit pattern (mature-green stage): 1 = Uniform green 2 = Green-shouldered 3 = Radial stripes on sides of fruit

[ ] Shoulder color if different from base: 1 = Dark green 2 = Grey green 3 = Yellow green

[5] Fruit color, full-ripe: 1 = White 2 = Yellow 3 = Orange 4 = Pink 5 = Red 6 = Brownish 7 = Greenish 8 = Other *(Specify)* _____

[3] Flesh color, full-ripe: 1 = Yellow 2 = Pink 3 = Red/Crimson 4 = Orange 5 = Other *(Specify)* _____

[1] Flesh color: 1 = Uniform 2 = With lighter and darker areas in walls

[2] Locular gel color of table-ripe fruit: 1 = Green 2 = Yellow 3 = Red

[2] Ripening: 1 = Blossom-to-stem end 2 = Uniform

7. FRUIT (3rd fruit of 2nd or 3rd cluster): Continued

[2] Ripening: 1 = Inside out 2 = Uniformly 3 = Outside in

[2] Epidermis color: 1 = Colorless 2 = Yellow

[1] Epidermis: 1 = Normal 2 = Easy-peel

[3] Epidermis texture: 1 = Tender 2 = Average 3 = Tough

[3] Thickness of pericarp . . . . . [3]

1 = Under 3 mm 2 = 3-6 mm 3 = 6-9 mm 4 = Over 9 mm

Thickness of pericarp, check var. no. [2][2]

[1] Stem scar size: 1 = Small ('Roma') 2 = Medium ('Rutgers') 3 = Large

[1] Core: 1 = Coreless (absent or smaller than 6x6 mm) 2 = Present

8. RESISTANCE TO FRUIT DISORDERS (Use code: 0 = Unknown, 1 = Susceptible, 2 = Resistant)

[0] Blossom end rot
[0] Blotchy ripening
[0] Bursting
[2] Catface
[2] Cracking, concentric
[2] Cracking, radial
[2] Fruit pox
[2] Gold fleck
[0] Graywall
[2] Zippering
[ ] Other *(Specify)* _____

9. DISEASE AND PEST REACTION (Use code: 0 = Not tested, 1 = Susceptible, 2 = Resistant). NOTE: If claim of novelty is based wholly or in substantial part upon disease resistance, trial data should be appended. These should specify the method of testing, the reaction of the application variety, and reaction of well-known check varieties grown in the trial (identified by name).

VIRAL DISEASES:

[0] Cucumber mosaic
[0] Curly top
[0] Potato-Y virus
[ ] Other virus *(Specify)* _____
[0] Tobacco mosaic, Race 0
[0] Tobacco mosaic, Race 1
[0] Tobacco mosaic, Race 2
[0] Tobacco mosaic, Race 2^2
[0] Tomato spotted wilt
[0] Tomato yellows

BACTERIAL DISEASES:

[0] Bacterial canker *(Corynebacterium michiganense)*
[0] Bacterial soft rot *(Erwinia carotovora)*
[0] Bacterial speck *(Pseudomonas tomato)*
[0] Bacterial spot *(Xanthomonas vesicatorium)*
[0] Bacterial wilt, *(Pseudomonas solanacearum)*
[ ] Other bacterial disease *(Specify)* _____

FUNGAL DISEASES:

[0] Anthracnose *(Colletotrichum* spp.*)*
[1] Brown root rot or corky root, *(Pyrenochaeta lycopersici)*
[0] Collar rot or stem canker, *(Alternaria solani)*
[0] Early blight defoliation, *(Alternaria solani)*
[2] Fusarium wilt, Race 1, *(F. oxysporum f. lycopersici)*
[1] Fusarium wilt, Race 2
[0] Fusarium wilt, Race 3
[2] Gray leaf spot *(Stemphylium* spp.*)*
[0] Late blight, Race 0, *(Phytophthora infestans)*
[0] Late blight, Race 1
[0] Leaf mold, Race 1 *(Cladosporium fulvum)*
[0] Leaf mold, Race 2
[0] Leaf mold, Race 3
[ ] Leaf mold, other races *(Specify)* _____
[0] Nailhead spot *(Alternaria tomato)*
[1] Septoria leafspot *(S. lycopersici)*
[0] Target leafspot *(Corynespora casiicola)*
[2] Verticillium wilt, Race 1 *(V. albo-atrum)*
[0] Verticillium wilt, Race 2
[ ] Other fungal disease _____
[ ] Other fungal disease _____

9. DISEASE AND PEST REACTION (Use code: 0 = Not tested, 1 = Susceptible, 2 = Resistant -- Continued)

INSECTS AND PESTS:

[0]	Colorado potato beetle *(Leptinotarsa decemlineata)*	[0]	Tomato hornworm *(Manduca quinquemaculata)*
[1]	Southern root knot nematode *(Meloidogyne incognita)*	[0]	Tomato fruitworm *(Heliothis zea)*
[0]	Spider mites *(Tetranychus spp.)*	[0]	Whitefly *(Trialeurodes vaporariorum)*
[0]	Sugar beet army worm *(Spodoptera exigua)*	[ ]	Other *(Specify)* _____
[0]	Tobacco flea beetle *(Epitrix hirtipennis)*		_____

POLLUTANTS:

[0] Ozone [0] Sulfur dioxide [ ] Other *(Specify)* _____

10. CHEMISTRY AND COMPOSITION OF FULL-RIPE FRUITS: Suggested test methods may be found in "Tomato Products," 5th ed., National Canners Assn. Bull. 27-L. Please specify test methods or give a reference to methods used. Fill in table below with values for the new variety and for at least one well-known check variety of similar type grown in the same trial. Specify names or numbers of check varieties.

	SUBMITTED VARIETY	Check Variety UC82B	Check Variety VF6203	Check Variety Sureset
pH SAN JUAN BAUTISTA CA 1986/1987	4.34/4.34	4.36/4.37	4.46/4.41	4.45/4.39
Titratable acidity, as % citric				
Total solids (dry matter, seeds and skin removed)				
Soluble solids, as °Brix SAN JUAN BAUTISTA	4.8/4.7	4.2/4.0	4.6/4.8	5.0/4.4

11. PHENOLOGY: Express length of developmental stages either as calendar days or as heat units (growing degree days), in degrees Celsius. If heat units are used, indicate the base temperature used in their calculation here _____ °C. See paper by Warnock under "References" for method. Give comparative data for at least one check variety; identify checks by name or by number from table on page 1.

	APPLICATION VARIETY	Check variety UC82B	Check variety VF6203	Check variety Sureset
Seeding to 50% flower (1 open flower on 50% of plants) SAN JUAN BAUTISTA	59/55 days	55/51 days	59/51 days	53/48 days
Seed to once-over harvest *(if applicable)*				

[4] Fruiting season: 1 = Long ('Marglobe') 2 = Medium ('Westover') 3 = Short, concentrated ('VF 145') 4 = Very concentrated ('UC 82')

[2] Relative maturity in areas tested: 1 = Early 2 = Medium early 3 = Medium 4 = Medium late 5 = Late 6 = Variable (if relative maturity is known to differ by location or environment, please explain on separate sheet).

12. ADAPTATION: If more than one category applies, list all in rank order.

[0][1] Culture: 1 = Field 2 = Greenhouse

[0][0][4][3] Principal use(s): 1 = Home garden 2 = Fresh market 3 = Whole-pack canning 4 = Concentrated products 5 = Other *(Specify)* _____

[2] Machine harvest: 1 = Not adapted 2 = Adapted

[0][9][1][1] Regions to which adaptation has been demonstrated:
1 = Northeast 2 = Mid Atlantic 3 = Southeast 4 = Florida
5 = Great Plains 6 = South-central 7 = Intermountain West 8 = Northwest
9 = California: Sacramento and Upper San Joaquin Valley
10 = California: Coastal areas 11 = California: Southern San Joaquin Valley & deserts

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VARIETY: Butte (formerly FM50189)
EXHIBIT D: Additional Description of the Variety.

Butte is a medium early, machine harvestable processing tomato with resistance to Verticillium Wilt and Fusarium Wilt race 1 and with coarse curly foliage on a compact vine which requires twin row planting for optimum yields. The fruit is uniform green while immature, and is medium sized, firm and egg shaped with medium high solids and medium low pH at maturity. The interior color is excellent.

Butte has similar pH to UC82B and Colusa but significantly low pH than VF6203 or Peelmech. Butte has similar soluble solids to VF6203 and Peelmech but significantly higher than UC82B. Maturity of Butte for over harvest in Woodland, California is about 5 days earlier than VF6203 and 15 days earlier than UC82B.

EXHIBIT "E"
Plant Variety Protection Application
No:.....

ASSIGNMENT

I, .Court Nichols....., agree and hereby do transfer and assign to FERRY-MORSE SEED COMPANY all my rights, title, and interest in and to that certain variety namely, ...BUTTE (FORMERLY FM50189) ...., for which application for Plant Variety Protection Certificate has been filed. This agreement shall be binding on my administrators, successors, and assigns.

In Witness Whereof, I have executed this agreement this day.3..... of .March....., 19 .89.....

BREEDER

..Courtland B. Nichols.....

EXHIBIT "E"

Plant Variety Protection Application

No: 8900118

STATEMENT OF OWNERSHIP

I, George R. Allbritten, Secretary of Ferry-Morse Seed Company do hereby certify that Ferry-Morse Seed Company is the breeder and owner of that certain variety namely, Tomato, Butte

for which an application for Plant Variety Protection has been filed.

In witness whereof I have executed this statement of ownership and caused the Ferry-Morse Corporate Seal to be affixed this 27 day of April, 1990.

Secretary

SEAL

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